

PATENT
S/N 09/619,890

Docket No. 1232-4635

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendments and following remarks.

Claim Status

Claims 1-52 are pending in this application, with non-elected group II claims 8-40, 42-46 and 48-52 previously having been withdrawn from consideration. Claims 1, 4-7, 41 and 47 have been rejected. Claims 2 and 3 have been objected to. Claims 2, 4, 7, 41 and 47 are amended. Claims 1, 8-40, 42-46 and 48-52 are canceled without prejudice or disclaimer. No new matter has been added.

Prior Art Rejections

Claims 1, 4, 5, 7, 41 and 47 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by US PG-PUB 2001/0001563 to Tomaszewski ("Tomaszewski"). Claim 6 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tomaszewski.

Claim Objections/Allowable Subject Matter

Claims 2 and 3 have been objected to as being dependent upon rejected base claim 1 but have been indicated as being drawn to allowable subject matter.

Applicant does not necessarily agree with the characterization of the claims or of the prior art as stated in the issued rejections, and respectfully traverses said rejections.

Nonetheless, in order to expedite allowance of this application drawn to the elected Group I invention, Applicant proceeds as follows:

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Applicant has chosen to rewrite objected-to Claim 2 in independent form to include all of the limitations of the base claim 1, instead of amending claim 1 to include a further limitation. Amended claim 2 is believed to be in condition for allowance.

Claim 1 has been canceled without prejudice or disclaimer and the dependencies of claims 4 and 7 have been changed to now depend from claim 2.

Pending Claims 5 and 6 depend from the rewritten allowable claim 2.

As amended claim 2 is believed allowable, all claims depending therefrom, are believed allowable for at least similar reasons.

Claims 41 and 47 are method and computer medium claims corresponding to amended, now independent, claim 2, and have been respectively amended to include the limitation of previous dependent claim 2. Claims 41 and 47 are thus believed to be allowable to at least similar reasons as for amended claim 2.

Accordingly, all rejections and objections having been overcome or otherwise rendered moot, independent claims 2, 41 and 47 and all claims depending therefrom are believed to be allowable and Applicant respectfully requests that all objections and rejections be withdrawn.

Finally, in order to expedite allowance, previously withdrawn claims 8-40, 42-46 and 48-52 are canceled without prejudice or disclaimer.

CONCLUSION

In view of the foregoing, no outstanding objections and rejections remain and Applicant respectfully submits that this application is in condition for allowance, which action is respectfully requested.

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Applicants believe that no fees or extensions of time are required for this paper. However, should an extension of time be necessary to render this filing timely, such is hereby petitioned.

The Commissioner is hereby authorized to charge any additional fees that may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4635.


Prompt allowance is earnestly solicited. If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

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Dated: August 3, 2005

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